

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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DATE: June 6, 2007
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #10 – PENDING LEGISLATION REPORT

The following provides information on pending legislation of interest to LAFCOs:

1. Attachment #1 is the CALAFCO summary of current legislation affecting LAFCOs. I have also included copies of the CALAFCO position letters related to pending legislation for your information (Attachment #2).
2. Of particular note to San Bernardino LAFCO are the following bills:
 1. SB 301 (Romero) is a bill proposing to provide a special resource for the funding of a Comprehensive Fiscal Analysis for an incorporation. It has become a two-year bill and will not be considered this legislative term.
 2. SB 819 (Hollingsworth) proposes to delete the sunset clause of July 1, 2008 for proposals to consolidate two districts not formed under the same principal act (copy of the bill included as Attachment #3). Opposition to this bill was presented to the Senate Local Government Committee by the San Bernardino Valley Water Conservation District. On May 15th the Senate Local Government Committee action included language specifically targeted to San Bernardino LAFCO proceedings, which was opposed by the San Bernardino Valley Municipal Water District. However, on May 30th, following days of intense discussions with lobbyists for both Water Districts, representatives from the Senate Local Government Committee staff, CALAFCO staff, and others new language was proposed as an amendment to the bill from the Senate floor. That language reads as follows:

*“Section 9 (a) The provisions of this act do not apply to any proceeding for a change of organization or reorganization for which the application has been accepted for filing by the executive officer of a local agency formation commission pursuant to Section 56658 of the Government Code prior to January 1, 2008. These pending proceedings may be continued and completed under, and in accordance with, the provisions of law under which the proceedings were commenced.
(b) The provisions of this act shall not affect any litigation pending on January 1, 2008.”*

As noted on the CALAFCO listing of bills, the position of the Legislative Counsel is that the language does not impose any restrictions and the CALAFCO Executive Board continues to support SB 819, even with the last-minute drafting of the amendment.

Staff will be happy to respond to any questions prior to or at the hearing.

KRM/

Attachments:

1. Summary of Current LAFCO Legislation as of 6/6/2007
2. CALAFCO Executive Board Position Letters
3. May 30, 2007 Amended Senate Bill 819 (Hollingsworth)